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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
HUYNH, THU V	
ART UNIT	**PAPER NUMBER**
2178	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/710,835	DIRSTINE, ADAM D.	
	Examiner	Art Unit	
	Thu V. Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 March 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *16-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *16-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 August 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/21/06 and 4/3/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: IDS filed on 02/21/06 and 04/03/06 and application filed on 08/05/04.

2. Claims 16-35 are pending claims in this case. Claims 16 and 31 are dependent claims.

Election/Restrictions

3. Applicant's election without traverse of group III, claims 16-26 and 31-35 in the reply filed on 03/05/07 is acknowledged.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 16, 20-21, 23-25, 31-33 and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Sullivan, US 7,007,105 B1, filed 01/11/01.**

Regarding independent claim 16, Sullivan teaches a network device comprises:

- at least one processor (Sullivan, fig.1; col.3, lines 51-53; CPU);
- a network interface to communicate with the at least one processor and a network (Sullivan, figures 1-2; col.3, lines 51-53; col.4, lines 1-25; connecting to the Internet network);

- an XML document processing module, including a compression module to compress XML documents into compressed valid XML documents (Sullivan, col.4, lines 42-47; col.5, lines 24-32; compressing token markup language document, such as XML document into binary XML document).

Regarding claim 20, which is dependent on claim 16, Sullivan teaches the XML document processing module includes a decompression module to decompress compressed valid XML document (Sullivan, col.4, lines 64-66; decompressing the binary XML document to XML document).

Regarding claim 21, which is dependent on claim 16, Sullivan teaches the network device is an embedded device server operable to manage a remote device using XML documents (Sullivan, col.4, lines 1-25; col.4, lines 42-47, lines 64-66; server compresses XML document or decompresses compressed XML document).

Regarding claim 23, which is dependent on claim 16, the network interface includes a web interface (Sullivan, col.4, lines 26-66; in order to transmit, access XML web document in the Internet, the network interface must includes a web interface).

Regarding claim 24, which is dependent on claim 16, Sullivan teaches the network interface is a wireless network (Sullivan, col.4, lines 15-18).

Regarding claim 25, which is dependent on claim 24, Sullivan teaches the network device is included in a cell phone (Sullivan, col.3, lines 30-37; hand-held devices).

Regarding independent claim 31, teaches the steps of:

- a communication network (Sullivan, col.4, lines 1-25; communication network for connecting systems to the Internet network);
- at least first and second network devices to communicate over the network (Sullivan, col.3, lines 30-37; col.4, lines 1-25; the network device comprises personal computer, hand-held devices, workstations, main frames, etc., wherein each network device includes:
    - at least one processor (Sullivan, fig.1; col.3, lines 51-53; CPU);
    - a network interface to communicate with the at least one processor (Sullivan, figures 1-2; col.3, lines 51-53; col.4, lines 1-25; connecting to the Internet network);
    - an XML document processing module, wherein the XML document processing module includes:
        - a compressing module to compress XML document to compressed valid XML document (Sullivan, col.4, lines 42-47; col.5, lines 24-32; compressing token markup language document, such as XML document into binary XML document).

- a decompression module to decompressed valid XML documents (Sullivan, col.4, lines 64-66; decompressing the binary XML document to XML document).

Regarding claim 32, which is dependent on claim 31, Sullivan teaches the first network device is an embedded device server, the first network device operable to receive a device configuration file as a compressed valid XML document and decompress the document (Sullivan, col.3, line 65 – col.4, line 8; col.4, lines 64-66; system, such as a server decompresses received compressed markup language document).

Regarding claim 33, which is dependent on claim 31, Sullivan teaches the first network device is operable to transfer to a status message as a compressed valid XML document to the second network device (Sullivan, col.3, line 65 – col.4, line 8; col.4, lines 64-66; a system sends a compressed XML document and receiving system decompresses received compressed markup language document).

Regarding claim 35, which is dependent on claim 31, Sullivan teaches the network is a wireless communication network (Sullivan, col.4, lines 15-18).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan as applied to claim 16 above, and further in view of Girardot et al., US 2003/0023628 A1, filed 04/09/01.

Regarding claim 17, which is dependent on claim 16, Sullivan does not explicitly disclose the XML document processing module includes a deflate compression algorithm.

Girardot teaches deflate compression is popular used to compress a document (Girardot, [0009]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Girardot's teaching and Sullivan's teaching to compress the XML document using deflate compression algorithm, since the deflate compression is popular one.

8. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan and Girardot as applied to claim 17 above, and further in view of Tycksen, Jr. et al., US 6,189,097 B1, filed 03/24/97.

Regarding claim 18, which is dependent on claim 17, Sullivan does not explicitly teaches the XML document processing module includes a binary to ASCII text encoding algorithm.

Tycksen teaches converting binary data to ASCII text (Tycksen, col.9, lines 7-15).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Tycksen's teaching and Sullivan's teaching to include a

binary to ASCII text encoding algorithm, since the combination allowed to convert the XML binary data in to ASCII text in order to decompress the compressed/binary XML document.

Regarding claim 19, which is dependent on claim 18, Sullivan does not teaches the binary to ASCII text encoding algorithm includes using base-64 encoding algorithm.

Tycksen teaches the binary to ASCII text encoding algorithm includes using base-64 encoding algorithm (Tycksen, col.9, lines 7-15).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Tycksen's teaching and Sullivan's teaching to include a binary to ASCII text encoding algorithm, since the combination allowed to convert the XML binary data in to ASCII text in order to decompress the compressed/binary XML document.

9. Claims 22 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan as applied to claims 16 and 31 above, and further in view of Ma et al., US 2005/0063575 A1, filed 09/22/03.

Regarding claim 22, which is dependent on claim 16, Sillivan does not explicitly disclose the network interface includes a serial port.

Ma teaches network interface includes a serial port (Ma, [0074]; a serial communication network).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Ma's teaching and Sullivan's teaching to include a serial

port, since the combination would have connected systems using many types of communication network.

Regarding claim 34, which is dependent on claim 31, Sullivan teaches the network is wired, wireless satellite network (Sullivan, col.4, lines 11-25). However, Sullivan teaches does not explicitly disclose the network is a serial communication network.

Ma teaches network is a serial communication network (Ma, [0074]; serial wireless network).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Ma's teaching and Sullivan's teaching to include a serial wireless network, since the combination would have connect system using many type of communication network.

10. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan as applied to claim 16 above, and further in view of Hertling et al., US 7,016,962, filed 08/31/01 and Hsu et al., US 2004/0205158, filed 02/24/03.

Regarding claim 26, which is dependent on claim 16, Sullivan teaches the network is wired, wireless satellite network (Sullivan, col.4, lines 11-25). However, Sullivan does not explicitly disclose the network is a wireless local area network (WLAN) and the network device is included in a WLAN computer card.

Hertling teaches the network is a wireless local area network (WLAN) (Hertling, col.3, lines 14-21; network includes WLAN).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Hertling's teaching and Sullivan's teaching to include a WLAN network, since the combination would have connected systems using many type of communication network.

Hsu teaches network device is included in a WLAN computer card (Hsu, [0093], laptop includes WLAN card).

It would h have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Hsu's teaching into Hertling and Sullivan's teaching to include WLAN computer card, since the combination would have includes connected systems using many type of communication network.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. **Claims 16, 20, 23, 31, 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Imaura, US 2003/0018446 A1, filed 01/15/02.**

Regarding independent claim 16, Imaura teaches a network device comprises:

- at least one processor (Imaura, [0046]; CPU);

- a network interface to communicate with the at least one processor and a network (Imaura, [0046]; connecting to the Internet network);
- an XML document processing module, including a compression module to compress XML documents into compressed valid XML documents (Imaura, [0048], [0056]; compression unit compresses the XML document to produce a compressed/encoded XML document according to DTD).

Regarding claim 20, which is dependent on claim 16, the XML document processing module includes a decompression module to decompress compressed valid XML document (Imaura, [0179]; decompression unit decodes the compressed/encoded XML document to provide a XML document).

Regarding claim 23, which is dependent on claim 16, Imaura teaches the network interface includes a web interface (Imaura, [0003], [0046]; in order to connect and transfer the XML web document in the Internet, the network interface must includes a web interface).

Regarding independent claim 31, teaches the steps of:

- a communication network (Imaura, [0046]; communication means for connecting to the Internet network);
- at least first and second network devices to communicate over the network (Imaura, [0046]; the network device comprises "personal computer, workstations and main frames", wherein each network device includes:

- at least one processor (Imaura, [0046]; CPU);
- a network interface to communicate with the at least one processor (Imaura, [0046]; connecting to the Internet network);
- an XML document processing module, wherein the XML document processing module includes:
  - a compressing module to compress XML document to compressed valid XML document (Imaura, [0048], [0056]; compression unit compresses the XML document to produce a compressed/encoded XML document according to DTD).
  - a decompression module to decompressed valid XML documents (Imaura, [0179]; decompression unit decodes the compressed/encoded XML document to provide a XML document).

Regarding claim 33, which is dependent on claim 31, Imaura teaches the first network device is operable to transfer to a status message as a compressed valid XML document to the second network device (Imaura, figures 1-2; system decompresses a received compressed/encoded document).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Imaura as applied to claim 16 above, and further in view of Girardot et al., US 2003/0023628 A1, filed 04/09/01.

Regarding claim 17, which is dependent on claim 16, Imaura does not teach the XML document processing module includes a deflate compression algorithm.

Girardot teaches deflate compression is popular used to compress a document (Girardot, [0009]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Girardot's teaching and Imaura's teaching to compress the XML document using deflate compression algorithm, since the deflate compression is popular one.

15. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imaura and Girardot as applied to claim 17 above, and further in view of Tycksen, Jr. et al., US 6,189,097 B1, filed 03/24/97.

Regarding claim 18, which is dependent on claim 17, Imaura does not teach the XML document processing module includes a binary to ASCII text encoding algorithm.

Tycksen teaches converting binary data to ASCII text (Tycksen, col.9, lines 7-15).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Tycksen's teaching and Imaura's teaching to include a

binary to ASCII text encoding algorithm, since the combination allowed to convert the XML binary data in to ASCII text in order to decompress the compressed/binary XML document.

Regarding claim 19, which is dependent on claim 18, Imaura does not teach the binary to ASCII text encoding algorithm includes using base-64 encoding algorithm.

Tycksen teaches the binary to ASCII text encoding algorithm includes using base-64 encoding algorithm (Tycksen, col.9, lines 7-15).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Tycksen's teaching and Imaura's teaching to include a binary to ASCII text encoding algorithm, since the combination allowed to convert the XML binary data in to ASCII text in order to decompress the compressed/binary XML document.

16. Claims 21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan as applied to claims 16 and 31 above, and further in view of Saint-Hillarie et al., US 2005/0138545 A1, filed 12/22/03.

Regarding claim 21, which is dependent on claim 16, Imaura teaches the network device comprises "personal computer, workstations and main frames" (Imaura, [0046]). However, Imaura does not explicitly disclose the network device is an embedded device server operable to manage a remote device using XML documents.

Saint-Hillaire teaches the network device is an embedded device server operable to manage a remote device using XML documents (Saint-Hillaire, fig.2; [0002], [0015]; server

compresses XML document; decompresses the compressed XML document and transmit the XML document in response to any given access request).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Sullivan's teaching and Saint-Hillaire's teaching, since the combination would have included a system in a server besides personal computer, workstations and main frames.

Regarding claim 25, which is dependent on claim 24, Imaura teaches the network device comprises "personal computer, workstations and main frames" (Imaura, [0046]). However, Imaura does not explicitly teach the network device is included in a cell phone.

Saint-Hillaire teaches the network device is included in a cell phone (Saint-Hillaire, fig.2; [0002], [0003], [0013], cell phone).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Sait-Hillaire's teaching and Imaura's teaching to include the network device is included in a cell phone, since the combination would have provided systems include cell phone besides personal computer, workstations and main frames.

17. Claims 22 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imaura as applied to claims 16 and 31 above, and further in view of Ma et al., US 2005/0063575 A1, filed 09/22/03.

Regarding claim 22, which is dependent on claim 16, Imaura does not teach the network interface includes a serial port (Imaura, [0003], [0046]; in order to connect and transfer the XML document in the Internet, the network interface must have a serial port).

Ma teaches network interface includes a serial port (Ma, [0074]; a serial communication network).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Ma's teaching and Imaura's teaching to include a serial port, since the combination would have connected systems using many types of communication network.

Regarding claim 34, which is dependent on claim 31, Imaura does not teach the network is a serial communication network.

Ma teaches network is a serial communication network (Ma, [0074]; a serial communication network).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Ma's teaching and Imaura's teaching to include a serial wireless network, since the combination would have connect system using many type of communication network.

18. Claims 21, 24-25, 32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imaura as applied to claims 16 above, and further in view of Sullivan, US 7,007,105 B1, filed 01/11/01.

Regarding claim 21, which is dependent on claim 16, Imaura teaches the network device comprises "personal computer, workstations and main frames" (Imaura, [0046]). However, Imaura does not explicitly disclose the network device is an embedded device server operable to manage a remote device using XML documents.

Sullivan teaches the network device is an embedded device server operable to manage a remote device using XML documents (Sullivan, col.4, lines 1-25; col.4, lines 42-47, lines 64-66; server compresses XML document or decompresses compressed XML document).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Sullivan's teaching and Imaura's teaching, since the combination would have included a system in a server besides personal computer, workstations and main frames.

Regarding claim 24, which is dependent on claim 16, Imaura does not explicitly teach the network interface is a wireless network.

Sullivan teaches the network interface is a wireless network (Sullivan, col.4, lines 15-18).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Sullivan's teaching and Imaura's teaching to include a wireless network, since the combination would have connected systems using many types of communication network.

Regarding claim 25, which is dependent on claim 24, Imaura teaches the network device comprises "personal computer, workstations and main frames" (Imaura, [0046]). However, Imaura does not explicitly teach the network device is included in a cell phone.

Sullivan teaches the network device is included in a cell phone (Sullivan, col.3, lines 30-37; hand-held devices).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Sullivan's teaching and Imaura's teaching to include the network device is included in a cell phone, since the combination would have provided systems include cell phone besides personal computer, workstations and main frames.

Regarding claim 32, which is dependent on claim 31, Imaura does not explicitly disclose the first network device is an embedded device server, the first network device operable to receive a device configuration file as a compressed valid XML document and decompress the document.

Sullivan teaches first network device is an embedded device server, the first network device operable to receive a device configuration file as a compressed valid XML document and decompress the document (Sullivan, col.3, line 65 – col.4, line 8; col.4, lines 64-66; server decompresses received compressed markup language document).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Sullivan's teaching and Imaura's teaching to include the network device is a server, since the combination would have provided systems include server besides personal computer, workstations and main frames.

Regarding claim 35, which is dependent on claim 31, Imaura does not explicitly teach the network interface is a wireless network.

Sullivan teaches the network interface is a wireless network (Sullivan, col.4, lines 15-18).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Sullivan's teaching and Imaura's teaching to include a wireless network, since the combination would have connected systems using many types of communication network.

19. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Imaura as applied to claim 16 above, and further in view of Hertling et al., US 7,016,962, filed 08/31/01 and Hsu et al., US 2004/0205158, filed 02/24/03.

Regarding claim 26, which is dependent on claim 16, Imaura does not teach the network is a wireless local area network (WLAN) and the network device is included in a WLAN computer card.

Hertling teaches the network is a wireless local area network (WLAN) (Hertling, network includes WLAN).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Hertling's teaching and Imaura's teaching to include a WLAN network, since the combination would have connected systems using many type of communication network.

Hsu teaches network device is included in a WLAN computer card (Hsu, [0093], laptop includes WLAN card).

It would h have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Hsu's teaching into Hertling and Imaura's teaching to include WLAN computer card, since the combination would have includes connected systems/devices using many type of communication network.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Basin et al., US 6,879,988 B2, filed 03/01, teaches method for manipulating and managing computer archive files.

Blair et al., US 2004/0133855 A1, filed 09/03, teaches compressing XML to binary.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V. Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thu V. Huynh
April 16, 2006